

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on January 17, 2003
at 3 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Joe Balyeat (R)
Rep. Bob Bergren (D)
Rep. Ronald Devlin (R)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Bernie Olson (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Wilson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 250, 1/16/2003; HB 30,
1/14/2003; HB 71, 1/14/2003; HB 93, 1/14/2003

Executive Action: None

HEARING ON HB 30**Opening Statement by Sponsor:**

REP. HURWITZ, HD 40, introduced HB 30. This bill is requested by the Department of Transportation (DOT) to permit the DOT to install Kiosks and charge a fee for the use of electronic equipment. The Kiosk is an excellent method to offer current road and weather information for travelers.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 5.6}

Proponents' Testimony:

John Blacker, DOT, Maintenance Supervisor, explained the advantages of this bill in providing travelers up-to-date information on road conditions and weather reports. He explained that a Kiosk is a pad used to enter a question and the response is shown on a screen. This law will allow the DOT to provide information regarding motels, restaurants, and current events in an area. They would charge a fee for the information, making the operation and installation of the Kiosk revenue neutral.

{Tape: 1; Side: A; Approx. Time Counter: 5.6 - 9.3}

REP. BROWN, HD 83, suggested that local businesses be listed on the Kiosk free of charge. The motels already pay a bed tax to promote the tourists who are using the Kiosk. Tourism is the number two income generator for the State of Montana. Montana DOT developed rules requiring one hour travel time between rest areas. This rule has caused problems in Northwest Montana. There is one rest area along Highway 2 between East Glacier and West Glacier. For this reason, I am asking that the committee amend this bill to allow local businesses to be listed at no charge.

EXHIBIT(trh10a01)

{Tape: 1; Side: A; Approx. Time Counter: 9.3 - 15.4}

Carl Schweitzer, Bozeman Chamber of Commerce, said Bozeman would like an information center at the turnout on 19th Street.

{Tape: 1; Side: A; Approx. Time Counter: 15.4 - 16.6}

Opponents' Testimony: None

Informational Testimony:

Geoff Feiss, Montana Independent Telecommunications Association, stated he was there to answer any questions the committee may have. He said they are sensitive to the networking of the Kiosk system and interested to see if it will compete with the private sector.

{Tape: 1; Side: A; Approx. Time Counter: 16.6 - 18.9}

Questions from Committee Members and Responses:

REPS. DEVLIN and GALLIK questioned REP. HURWITZ and John Blacker.
{Tape: 1; Side: A; Approx. Time Counter: 18.9 - 26.6}

Closing by Sponsor:

REP. HURWITZ closed with a summary of the testimony and encouraged the committee to consider the economic impact this bill could have on the tourist industry.

{Tape: 1; Side: A; Approx. Time Counter: 26.6 - 27.9}

HEARING ON HB 93

Opening Statement by Sponsor:

REP. LAWSON, HD 80, introduced HB 93. The first and second amendments will make the title read, "A bill for an act entitled, an act requiring the Department of Justice to adopt rules allowing for the early re-registration of a motor vehicle." The other changes are the 180 to date would be out of there, and it would say "and amending section 61-3-315." The title would say, "An Act requiring the Department of Justice to adopt rules allowing for the early re-registration of a motor vehicle, and indeed we are omitting Section 61-3-315." Line 10 we are crossing out early registration and Line 10 we are adding after rules "early re-registration." On line 13 we are simply striking 5 and renumbering to 4. Where the meat of the bill used to be on Line 23,24 and 25, that is deleted. The meat of the bill now is Amendment No. 6, which will be put on page 1, line 27. This will allow re-registration of all motor vehicles. The traveling folks will be able to license their vehicles before they leave for the winter or on an extended trip. On many occasions these travelers do not have an address while they travel. There is a fiscal note which I did not like and would not sign; it is my understanding that with these amendments there will be no cost.

EXHIBIT(trh10a02)

{Tape: 1; Side: A; Approx. Time Counter: 27.9 - 30}

{Tape: 1; Side: B; Approx. Time Counter: 0 - 4.2}

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Nancy Hargrove, Department of Justice, said she was here to answer questions.

{Tape: 1; Side: B; Approx. Time Counter: 4.2 - 5}

Rhonda Carpenter, Montana County Treasurers Association, said "with the amendments the County Treasurers are not opposed to this bill."

{Tape: 1; Side: B; Approx. Time Counter: 5 - 6.7}

Questions from Committee Members and Responses:

REPS. OLSEN and BALYEAT question **Nancy Hargrove, Rhonda Carpenter** and **REP. LAWSON**. **REP. BALYEAT** requested a copy of the current law.

{Tape: 1; Side: B; Approx. Time Counter: 6.7 - 14.7}

Closing by Sponsor: Sponsor closed.

{Tape: 1; Side: B; Approx. Time Counter: 14.7 - 16}

HEARING ON HB 250

Opening Statement by Sponsor:

REP. MORGAN explained that HB 250 deals with license plates for Purple Heart recipients. This bill would allow the words "combat wounded" to be placed on the license plate. The fiscal note reads zero.

{Tape: 1; Side: B; Approx. Time Counter: 16 - 17.6}

Proponents' Testimony:

Angelo Bianco, Chapter Commander and State Adjutant, proudly represent Montana Purple Heart recipients. Ninety five year old, Joe Pappas of Red Lodge was drafted at the age of 33 and received several awards for valor. He refused to accept one award because the other nine men in his troop did not make it out of Germany that day. He has since received the Silver Heart on behalf of his fallen comrades. Joe said, "it is silly that Montana is the only state in the Union that does not have combat wounded on its license plate and By God [I] would like to see this happen in my lifetime."

{Tape: 1; Side: B; Approx. Time Counter: 17.6 - 22.6}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. BALYEAT, DEVLIN, WAITSCHIES and **KEENE** questioned **REP. MORGAN**. They discussed changing the effective date and wanted to change it to be effective upon passage so this bill would become law during Mr. Pappas' lifetime. **REP. KEENE** wanted the date changed and to have Mr. Pappas present when the bill is signed.

{Tape: 1; Side: B; Approx. Time Counter: 22.6 - 29}

Closing by Sponsor: Sponsor closed.

{Tape: 1; Side: B; Approx. Time Counter: 29 - 30}

REP. DAVE GALLIK assumed the Chair.

HEARING ON HB 71**Opening Statement by Sponsor:**

REP. WAITSCHIES, HD 96 introduced HB 71. This bill is in current statute, but needs the sunset removed. Removing the sunset allows Department of Transportation (DOT) personnel to stop a vehicle suspected of using dyed diesel fuel on public roads.

{Tape: 3; Side: A; Approx. Time Counter: 0 - 5}

Proponents' Testimony:

Jim Currie, Department of Transportation (DOT), asked the committee to support this department bill.

EXHIBIT(trh10a03)

{Tape: 3; Side: A; Approx. Time Counter: 5 - 8.8}

Bob Gilbert, Montana Petroleum Marketers and Convenience Stores, support this bill.

{Tape: 3; Side: A; Approx. Time Counter: 8.8 - 9}

Spook Stang, Executive Director, Montana Motor Carriers Association, stated that they support this bill.

{Tape: 3; Side: A; Approx. Time Counter: 9 - 9.5}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. DEVLIN, SMITH, BALYEAT and **OLSEN** questioned **Jim Currie, DOT**. **REP. DEVLIN** asked for information comparing the cost of enforcement with the number of citations issued.

{Tape: 3; Side: A; Approx. Time Counter: 9.5 - 18.2}

Closing by Sponsor:

REP. WAITSCHIES closed HB 71 with a referral to the testimony of the Department of Transportation.

{Tape: 3; Side: A; Approx. Time Counter: 18.2 - 21}

ADJOURNMENT

Adjournment: 4:20 P.M.

REP. KARL WAITSCHIES, Chairman

PATI O'REILLY, Secretary

KW/PO

EXHIBIT(trh10aad)